DOCUMENT RESUME

ED 382 548 SO 025 057

TITLE	Antidote: Civic Responsibility. Rhode Island Law.
INSTITUTION	Phi Alpha Delta Law Fraternity International, Washington, DC.
SPONS AGENCY	Department of Justice, Washington, D.C. Office of Juvenile Justice and Delinquency Prevention.
PUB DATE	93
CONTRACT	93-JS-CX-005
NOTE	17p.; For related lesson materials, see ED 372 024. For other state supplements, see SO 025 022-066.
AVAILABLE FROM	Phi Alpha Delta Public Service Center, 1511 K Street, N.W., Suite 611, Washington, DC 20005.
PUB TYPE	Guides - Classroom Use - Instructional Materials (For Learner) (051) -- Guides - Classroom Use - Teaching Guides (For Teacher) (052)
EDRS PRICE	MF01 Plus Postage. PC Not Available from EDRS.
DESCRIPTORS	*Citizenship Education; *Constitutional Law; *Criminal Law; Drug Education; *Drug Legislation; High Schools; Illegal Drug Use; Intermediate Grades; Junior High Schools; *Law Related Education; Middle Schools; Resource Materials; Social Studies; State Legislation
IDENTIFIERS	Phi Alpha Delta Law Fraternity; *Rhode Island

ABSTRACT

Designed for middle school through high school students, this unit contains eight lesson plans that focus on Rhode Island state law. The state lessons correspond to lessons in the volume, "Antidote: Civic Responsibility. Drug Avoidance Lessons for Middle School & High School Students." Developed to be presented by educators, law student, or attorneys, the state lessons are interactive and sequential, although individual lessons can stand alone. The document includes legal information about driving while intoxicated, drug offenses, sentencing, and drug and alcohol statutes written specifically to combat juvenile abuse. (RJC)

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ED 382 548

Antidote: Civic Responsibility

Rhode Island Law

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SO 025057

Lesson 1

1. Has Aimee violated any state laws? Have her parents?

Aimee has violated no Rhode Island law as there is no law which makes a minor liable for an unintentionally dangerous act toward another minor.

Aimee and Carrie's parent's, however, might be criminally responsible for failing to have supervision for the girls. Rhode Island law states, "Every person having the custody or control of any child under the age of 18 who shall abandon such child, or who shall treat the child with gross or habitual cruelty, or who shall wrongfully cause or permit such child to be an habitual sufferer for want of food, clothing, proper care or oversight . . . shall be guilty of a felony and shall for every such offense be imprisoned for not less than 1 year nor more than 3 and/or be fined not exceeding $1000." R.I. Gen. Law §11-9-5 (1981). Psychological counseling in child growth, child care and development may also be required as a part of the sentence or probation. Id. Depending on how long and how often the girls were left unsupervised, the parents might be in violation of this law.

2. Does state law allow 17 year old Tyrell to drink a glass of wine with his dinner without his parents' consent?

Tyrell may not drink wine at dinner regardless of his parents' consent. "Any person who has not reached his or her 21st birthday who has in his/her possession any beverage defined in this title shall be fined $100 to $500 for the first offense; $200 to $500 for the second offense and $300 to $500 for the third or subsequent offense." R.I. Gen. Law §3-10-1 (1993 cum. supp.).

3. Is Maria violating any law when she tells her roommates whom to call to buy marijuana?

Rhode Island law prohibits individuals from unlawfully possessing controlled substances. R.I. Gen. Laws §21-28-4.01(1992). Maria's roommates knowingly sought possession of a controlled substance in violation of the law. Maria aided them in obtaining the substance; in committing the crime. Consequently, Maria could be charged with conspiracy under R.I. Gen. Laws §21-28-4.08 (1989)) which states that any person who conspires to violate any provision of the drug control statute is guilty of a crime and is subject to the same punishment as is prescribed for the commission of the substantive offense. Id.

4. Have Adam and Alex broken any laws other than those against drinking and fighting?

A death resulted from the fight Adam and Alex were involved in even though they did not intend for serious harm to result

from their interaction. Murder would be an unlikely charge since the twins did not have the intent to kill Joe. A lesser charge like manslaughter is a possibility, but the likely charge is simple assault or battery. In Rhode Island the fine for simple assault or battery is up to one year in jail and/or a fine up to $1000. R.I. Gen. Laws § 11-5-3 (1993 cum. supp.).

5. **Has Jose violated any state law even though he is not drinking? Has Carlos or TJ violated any state law?**

Jose, despite the fact that he is acting as a designated driver and not drinking alcohol, is in violation of Rhode Island law. It is unlawful for any person not yet 21 who is operating a motor vehicle without his parent or legal guardian present to knowingly have liquor or intoxicating beverages in any form, opened or unopened, in any part of the vehicle. R.I. Gen. Laws § 3-8-11.1 (1987). Jose will lose his license for 30 days for this action.

TJ, also underage, is in violation of Rhode Island's prohibition of alcohol possession by minors. See #2 above.

Carlos, although he is over 21 and may legally consume alcohol, may be in violation of Rhode Island law if he helped TJ acquire alcohol. It is unlawful for an adult to purchase or acquire alcohol for persons who have not yet reached his/her 21st birthday. R.I. Gen. Laws § 3-8-11.1 (1987). If Carlos violates this law he is guilty of a felony and shall be punished by a fine not to exceed $1000 and or imprisonment not to exceed 6 months.

6. **Is Dr. Melrose violating any state or federal law by prescribing pain killers without conducting an examination or determining need?**

Dr. Melrose is violating not only state law, but federal law too. Under 21 U.S.C.A. § 829, a physician must have a legitimate medical purpose for dispensing drugs, and the act of dispensing or prescribing drugs should be within the usual course of professional conduct. U.S. v. Varma, 691 F.2d 460 (1982), U.S. v. Jamieson, 605 F. Supp. 119 (1985).

Dr. Melrose's patients, if they do not provide him with a bona fide reason for needing the painkillers, may also be breaking the law. 21 U.S.C.A. § 843 prohibits knowingly or unknowingly acquiring possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge.

Dr. Melrose is also violating Rhode Island law. It is unlawful for any person to willfully make a false statement in any prescription, order, report, or record. R.I. Gen. Law §21-28-4.05 (1992). If Dr. Melrose, without a legitimate medical examination, authorized a prescription, he is in violation of this law.

7. **Is Danielle violating any law by taking only one or two pills from someone else's prescription?**

Danielle is violating several state and federal laws. Since she is in effect dispensing prescription drugs to herself, she is violating 21 U.S.C.A. § 829, which prohibits dispensing any controlled substance which is a prescription drug without the written prescription of a practitioner. She is also violating 21 U.S.C.A. § 843, which prohibits knowingly or unknowingly acquiring possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge and 21 U.S.C.A. § 844 which prohibits simple possession of a controlled substance unless such a substance was obtained by a prescription. The seriousness of her crime under federal drug control laws will depend on the type of drug which she is taking and how the drugs are used.

Rhode Island law prohibits obtaining or attempting to obtain a controlled substance or procuring or attempting to procure the administration of a controlled substance by fraud, deceit, misrepresentation or subterfuge. R.I. Gen. Laws § 21-28-4.05 (1992). Danielle's taking advantage of her position of employment to attain pills is in violation of this law.

8. **Is Renee breaking any law even though she is not selling drugs herself?**

Even thought she is not selling drugs directly, Renee is violating several state and federal laws. She is violating 21 U.S.C.A. § 841 prohibiting possession of a controlled substance with the intent to manufacture, distribute or dispense drugs and 21 U.S.C.A. §844 prohibiting simple possession of a controlled substance.

Renee could receive an increased sentence in accordance with the federal sentencing guidelines as a result of her using children in her scheme. Under 21 U.S.C.A. § 859, the distribution of a controlled substance to a person under 21 year of age is subject to increased penalties. The United States expressed its concern with the importance of protecting children from drug trafficking under 21 U.S.C.A. § 860, which imposes heavier prison sentences in cases involving the distribution or manufacture of controlled substances in the proximity of schools, playgrounds or youth centers. 18 U.S.C.A. App. 4 § 3B1.3 also provides for increased sentences in cases of abuse of one's position of trust, as in a drug trafficking defendant involving her daughter in the drug trade. U.S. v. Ledesma, 979 F.2d 816 (1992).

Renee is further violating Rhode Island law. It is unlawful for any person to manufacture, deliver or possess with intent to manufacture or deliver a controlled substance. R.I. Gen. Laws § 21-28-4.01(A) (1992). Further, any person over 18 who violates §21-28-4.01(A) (1992) by distributing a controlled substance, excluding marijuana, listed under schedule 1 or 2, to a person under 18 who is at least 3 years his/her junior,

shall be imprisoned for a term of not less than 15 years and may be imprisoned for life and/or fined up to $500,000. R.I. Gen. Laws §21-28-4.07(1992). The penalties vary depending on the drug schedule, but are enhanced as above for involving those under 18 years old.

Renee's use of her daughter as the drug distributor can get her into further legal trouble. R. I. Gen. Law §11-9-4(1981) states that any person who knowingly or wilfully encourages, aids, contributes to or in any way causes any child under 16 to violate any law of Rhode Island or any city or town ordinance or engage in any vicious or immoral conduct . . . can be imprisoned for up to one year and/or fined up to $500. Renee may further lose custody of Mary for her behavior since it appears she might be an unfit parent.

9. Did Jim violate any law other than those regarding controlled substances?

Their heroin use is a felony under federal drug-control statutes. 21 U.S.C.A. §841 prohibits possession of a controlled substance with the intent to manufacture, distribute or dispense such substance. 21 U.S.C.A. §844 prohibits simple possession of a controlled substance.

Exposing another to infection of sexually transmitted disease is a crime in Rhode Island. 23-11-1 (1987) does not include aids/HIV in its list of diseases, but the section states that the director of health may by regulation determine those diseases considered sexually transmitted diseases. Violation of this section will result in a fine of not more than $100 or imprisonment for not more than 3 months. Id.

Rhode Island has not yet dealt specifically with Jim's transmitting the HIV virus to Andre through a shared needle. Under the Model Penal Code, however, Jim's behavior could constitute simple or aggravated assault or the attempt thereof, or reckless endangerment; under certain extreme situations, it could be construed as murder. See Gene Schultz, AIDS: Public Health and the Criminal Law, 7 St. Louis U. Pub. L. Rev. 65 (1988); Roger N. Braden, AIDS: Dealing With the Plague, 19 N. Ky. L. Rev. 277 (1992). In some cases, it has been suggested that the HIV virus provides a deadly weapon. Cf. Brock v. State, 555 So.2d 285 (Ala. Crim. App. 1989).

10. Has the bartender or owner of Bulldog's Bar & Grill violated any law?

Rhode Island's Liquor Liability Act states that a defendant (defined at 3-14-5) negligently serves liquor to a visibly intoxicated individual is liable for damages proximately caused by the individual's consumption of the liquor. R.I. Gen. Laws § 3-14-6 (1992). R.I. Gen. Laws §3-14-7 similarly states that the reckless service of liquor to a visibly intoxicated person results in liability for damages

proximately caused by the individual's consumption of liquor.

Lesson 2

CRIMINAL JUSTICE STATISTICS: DRUG AND ALCOHOL RELATED OFFENSES

UNIFORM CRIME REPORT DATA OF 1990--CRIME IN THE UNITED STATES

According to the Uniform Crime Report of 1990, 68% of the drug abuse violators were arrested for possession of heroin, cocaine or a narcotic derivative. A little over 31% of drug arrests were for the sale and manufacture of drugs.

Out of the 14,195,100 total number of arrests that occurred in 1990, drug abuse violations accounted for 1,089,500, driving under the influence comprised 1,810,800, and liquor law violations represented 714,700 of the total.

1981-1990 Ten Year Trend

Arrests for Drug Abuse Violations

In 1981, the total number of arrests for drug abusers under the age of 18 was 69,383. On the other hand in 1990, the total number was 50,435. This represents a 27.3% **decrease** in the number of arrests for persons under the age of 18. However, the number of arrests for persons over the age of 18 represent an 89.9% **increase** from 332,733 in 1981 to 631,932 in 1990.

Liquor Law Violations

For persons over the age of 18, the number of arrests for liquor law violations have dramatically **increased** to 61% from 218,079 in 1981 to 351,064 in 1990. However, the number of arrests for persons under the age of 18 has decreased to less than 0.4%.

♦ ♦ ♦

Criminal Victimization in the United States, 1990 A National Crime Victimization Survey Report, February, 1992

Percent Distribution of Victimizations by Perceived Drug or Alcohol Use by Offender:

- Of the **130,260** total rapes reported by victims to police, **49.8%** were believed to be committed by someone under the influence of drugs or alcohol.
- Of a total of **1,149,710** reported robberies, **24.2%** involved an offender under the influence of drugs or alcohol.
- Of **1,600,760** aggravated assaults committed **40%** were committed by people under the influence of drugs.
- Of the **3,128,130** simple assaults reported, **32.9%** were perpetrated by someone perceived to be under the influence of drugs or alcohol.

Lesson 4

FEDERAL SCHEDULE (answers to handout 3)

DRUG	SCHEDULE
heroin	schedule 1
beer	not a scheduled drug
vodka	not a scheduled drug
nitrate	not a scheduled drug
amphetamines	schedule 3
caffeine	not a scheduled drug
marijuana	schedule 1
crack	schedule 2
scotch	not a scheduled drug
MSG	not a scheduled drug
cocaine	schedule 2
glue	not a scheduled drug

FEDERAL PENALTIES BY SCHEDULE FOR POSSESSION

SCHEDULE	MAX. PRISON	MAX. FINE	MAX. TOTAL
schedule 1	15 years	$25,000	15yrs + $25,000
schedule 2	15 years	$25,000	15yrs + $25,000
schedule 3	5 years	$15,000	5yrs + $15,000
schedule 4	3 years	$10,000	3yrs + $10,000
schedule 5	1 year	$ 5,000	1yr + $ 5,000
unscheduled drug	n/a	n/a	n/a

The penalty doubles if the defendant has a previous conviction for a schedule law violation.

In order for a drug to be a narcotic, it must be a derivative of opium. All narcotics contain opium or opium derivatives, ie: heroin.

Malt beverages such as beer are not included in the scheduling process. They are controlled by liquor laws.

Information from 21 U.S.C.A. § 841 (West 1981).

States	Heroin	Cocaine	Crack	Marijuana	Amphetamine
Alabama	sch 1	sch 2	sch 2	sch 1	sch 3
Alaska	sch 1A	sch 2A	sch 2A	sch 3A	sch 4A
Arizona	sch 1	sch 2	sch 2	sch 1	sch 2
Arkansas	sch 1	sch 2	sch 2	sch 1	not listed
California	sch 1	sch 2	sch 2	sch 1	sch 2
Colorado	sch 1	sch 2	sch 2	sch 1	sch 2
Connecticut	sch 1	sch 2	sch 2	sch 1	sch 3
Delaware	sch 1	sch 2	sch 2	sch 1	sch 2
D.C.	sch 1	sch 2	sch 2	sch 2	sch 2
Florida	sch 1	sch 2	sch 2	sch 1	sch 2
Georgia	sch 1	sch 2	sch 2	sch 1[1]	sch 2
Hawaii	sch 1	sch 2	sch 2	sch 1	sch 2
Idaho	sch 1	sch 2	sch 2	sch 1	sch 2
Illinois	sch 1	sch 2	sch 2	listed under its act: the Cannabis Control Act, 56 1/2 §701 et seq	sch 2
Indiana	sch 1	sch 2	sch 2	sch 1	sch 2
Iowa	sch 1	sch 2	sch 2	sch 1	sch 2
Kansas	sch 1	sch 2	sch 2	sch 1	sch 1
Kentucky	sch 1	sch 2	sch 2	sch 1	sch 2
Louisiana	sch 1	sch 2	sch 2	sch 1	sch 2
Maine[2]	sch W	sch W	sch W	sch W & Z	sch W
Maryland	sch 1	sch 2	sch 2	sch 1	sch 1
Massachusetts[3]	class A	class B	class B	class D	class B
Michigan	sch 1	sch 2	sch 2	sch 1	sch 2
Minnesota	sch 1	sch 2	sch 2	sch 1	sch 2
Mississippi	sch 1	sch 2	sch 2	sch 1	sch 2
Missouri	sch 1	sch 2	sch 2	sch 1	sch 2
Montana	sch 1	sch 2	sch 2	sch 1	sch 2

[1] Must have more than 15% THC (tetrahydrocannobinol), the chemical in the cannabis plant.

[2] Maine schedules its drugs under an alphabetical category: W, X, Y & Z. The schedules are similar to other state categorizations.

[3] Massachusetts calls their schedules classes, but they are the same thing.

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States	Heroin	Cocaine	Crack	Marijuana	Amphetamine
Nebraska	sch 1	sch 2	sch 2	sch 1	sch 2
Nevada[4]	sch 1	sch 2	sch 2	sch 1	sch 3
New Hampshire	sch 1	sch 2	sch 2	sch 1	sch 3
New Jersey	sch 1	sch 2	sch 2	sch 1	sch 3
New Mexico	sch 1	sch 2	sch 2	sch 1 & 2	sch 2
New York	sch 1	sch 2	sch 2	sch 1	sch 2
North Carolina	sch 1	sch 2	sch 2	NC has a sixth schedule which incl. marijuana	sch 2
North Dakota	sch 1	sch 2	sch 2	sch 1	sch 2
Ohio	sch 1	sch 2	sch 2	sch 1	sch 2
Oklahoma	sch 1	sch 2	sch 2	sch 1	sch 2
Pennsylvania	sch 1	sch 2	sch 2	sch 1	sch 2
Puerto Rico	sch 1	sch 2	sch 2	sch 1	sch 3
Rhode Island	sch 1	sch 2	sch 2	sch 1	sch 2
South Carolina	sch 1	sch 2	sch 2	sch 1	sch 2
South Dakota	sch 1	sch 2	sch 2	sch 1	sch 2
Tennessee	sch 1	sch 2	sch 2	sch 2, but only for certified patients under the Controlled Substances Therapeutic Research Act	sch 2
Texas	sch 1	sch 2	sch 2	sch 1	sch 2
Utah	sch 1	sch 2	sch 2	sch 1	sch 2
Vermont	sch 1	sch 2	sch 2	sch 1	sch 3
Virginia	sch 1	sch 2	sch 2	not listed, but liquid marijuana or hashish oil is listed as sch 1	sch 2
Washington	sch 1	sch 2	sch 2	sch 1	sch 2
West Virginia	sch 1	sch 2	sch 2	sch 1	sch 2
Wisconsin	sch 1	sch 2	sch 2	sch 1	sch 2

[4] While Nevada does not specifically name drugs under its five schedules, but instead lists the specific tests to determine under which schedule a drug belongs § 453.2182 says that the state will use 21 USC as a guide for scheduling. The state merely reserves the right to reschedule any controlled substance as it sees fit according to the tests set out in 453.166, et. seq.

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States	Heroin	Cocaine	Crack	Marijuana	Amphetamine
Wyoming	sch 1	sch 2	sch 2	sch 1	sch 2

OFFENSE/SUBSTANCE	SENTENCE
First Offense: Cocaine - Possession With Intent To Distribute - 5 kg	▪ imprisonment for up to life, and/or ▪ fine of $10,000 to $500,000
First Offense: Trace of Heroin - Possession of 1 kg or more of a mixture with a small, but detectable amount of heroin	*▪ imprisonment for between 10 & 50 years, and ▪ fine of $10,000 and $500,000
First Offense: Codeine - Possession - 200 mg	*▪ imprisonment for between 10 & 50 years, and ▪ fine of between $10,000 and $500,000
Second Offense: Marijuana - Possession - 50 kg	*▪ imprisonment for between 20 years and life, and ▪ fine of $25,000 and $1 million
Third Offense - Methamphetamine - Possession - 100 g	*▪ imprisonment for between 10 & 50 years, and ▪ fine of $10,000 and $500,000

* Sentences may be less than the minimum if there are substantial and compelling circumstances such as a person's background , cooperation with police, etc.

Cite: RI Gen. Laws § 21-28-4.01.1

Current Federal Penalties:

Group 1 and Group 2: . . . person shall be sentenced to prison which may not be less than 10 years or more than life and a fine not to exceed 4 million dollars.

Group 3: . . . person shall be sentenced to a term of imprisonment of not more than one year, a fine not exceed $250,000 in the case of an individual.

Group 4: . . . person shall be sentenced to a term of imprisonment of not more than 10 years, a fine not to exceed $500,000.

Group 5: . . . person shall be sentenced mandatory life imprisonment without release and fine not to exceed $8 million.

Cite: 21 U.S.C. § 841 (1992).

Rhode Island Law

Lesson 6 & 7

1. **What does DWI stand for?**

Driving while intoxicated.

2. **What does DUI stand for?**

Driving under the influence. Under §31-27-2 it is unlawful to operate a motor vehicle while under the influence of any intoxicating liquor or to have a blood alcohol concentration level of 0.10 or more. If a person is under 21 but at least 18 and has a blood alcohol concentration of at least 0.04, but less than 0.1 then s/he is considered driving while impaired. §31-27-2.7.

3. **In terms of penalties, is being convicted of DWI more serious than being convicted of DUI?**

There is no distinction between the two offenses under Rhode Island law.

4. **What are the penalties for being convicted of DWI? DUI?**

VIOLATION	CONVICTION	PUNISHMENT
§ 31-27-2 - driving under the influence	first	• fine of $100 to $300, and • 10 to 60 hours of community service, and/or • jail for up to 1 year, and • license suspension for 3 to 6 months
	second (w/in 5 years)	• fine of $400, and • license suspension for 1 to 2 years, and • jail for 10 days to 1 year
	third & subsequent (w/in 5 years)	• fine of $400, and • license suspension for 2 to 3 years, and • jail for 6 months to 1 year, and • if convicted owns a vehicle, the vehicle shall be seized and sold by state, with funds going to the state.
§ 31-27-2.7 - driving while impaired	first	• fine of $100 to $150, and • 30 hours of community service, and • license suspended for up to 3 months
	second & subsequent	• fine of not more than $250, and • up to 60 hours community service, and • a highway safety assessment of $300, and • license suspended for 3 to 6 months

5. **What is the penalty for refusing to submit to a breathalyzer test upon a police officer's reasonable request?**

Under §31-27-2.1 any person who drives in Rhode Island consents to a breath test. Refusal to take the test shall lead to the revocation of one's license. 31-27-2.1. If person is under 18 his/her license shall be suspended for 6 months. §31-27-2.5.

6. **What must a person's blood alcohol content (BAC) be before he/she is legally intoxicated?**

Under §31-27-2 if a person's BAC is 0.10 or more s/he is legally intoxicated.

7. **The legal limit for blood alcohol is lower for persons under the legal drinking age of 21. True or False?**

True. Under §31-27-2.7 if the person is under 21 but at least 18 and has a BAC of 0.04 or more is considered driving while impaired.

8. **An open container of alcohol can be in your car if you are 21 or over. True or False?**

True. Under §31-22-21 it is unlawful for any person to consume alcohol while driving a motor vehicle. The penalty for a first offense is a fine of not more than $200 and/or suspension of license for up to 6 months.

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Second offense carries a fine of not more than $500 and/or suspension of license for up to 1 year.

Lesson 9

Although the drinking age is 21 in all 50 states (meaning specifically that the sale of alcohol to minors is prohibited), the laws on teenage drinking vary from state to state. The laws vary in regard to whether they include prohibition of the purchase of alcohol, the attempt to purchase alcohol, the consumption of alcohol and the possession of alcohol. According to the **March 11, 1993 Safety Recommendation report of the National Transportation Safety Board,**

- Five states (DE, FL, MT, NH & NY) and the District of Columbia do not prohibit the purchase of alcohol by minors.
- West Virginia and the District of Columbia do not prohibit public possession of alcohol by minors.
- 23 states (AK, AR, DE, DC, FL, GA, RI, IL, IA, LA, ME, MD, MI, MS, MT, NV, NH, NY, SC, TX, UT, VT, VA) do not prohibit minors from attempting to purchase alcohol.
- 21 states (AR, CO, CT, FL, GA, HI, IA, KY, LA, MA, MS, MO, NE, NH, NM, NC, OR, SC, VT, WV, WY) do not prohibit alcohol consumption by minors.
- 16 states (AR, CA, CO, HI, KY, LA, ME, MI, NM, NY, NC, OK, SD, VA, WA, WY) do not prohibit minors from misrepresenting their age in order to purchase alcohol.
- 19 states (AL, AR, CO, DE, DC, IA, KS, LA, MD, MN, MT, NJ, OR, PA, SC, UT, VA, WA, WI) do not prohibit minors from presenting false ID to purchase alcohol.

In addition, most states do no prohibit minors from driving with alcohol in their blood unless their blood alcohol content reaches the adult legal limit, which is .10 percent in most states. Fifteen states, however, have amended their laws to lower for minors the permitted blood alcohol content while driving. These laws vary according to the age under which minors must be in order for the lower blood alcohol content to apply. Here is the layout for state laws on blood alcohol content for minors while driving:

0.00 BAC	0.01 BAC	0.02 BAC	0.04 BAC	0.05 BAC	0.06 BAC
AZ (<21)	NJ (<21)	ME (<21)	RI (<21)	CA (<18)	GA (<18)
NC (<19)		MD (<21)	NH (<21)	NM (<18)	
OR (<21)		OH (<18)			
UT (<21)		VT (<18)			
WI (<18)					

A number of states have tried to cut down on teenage driving accidents by implementing nighttime driving restrictions. The following states have some form of curfew for teenage driving:

ID: minors <16 can drive during the daytime only
IL: minors <17 cannot drive between 11pm-6am Mon-Thur and

12am-6am Fri-Sun
LA: minors <15 cannot drive between 11pm-6am Mon-Thur and 12am:6am Fri-Sun
MD: minors <16 cannot drive between 12am-5am
MA: minors <18 cannot drive between 1am-4am
NY: minors <18 cannot drive between 9pm-5am
PA: minors <18 cannot drive between 12am-5am
SD: minors <16 cannot drive between 8pm-6am.